



# MONTGOMERY McCRACKEN

ATTORNEYS AT LAW

**Kathleen M. Murphy**

Associate  
Admitted in: New York & Connecticut

437 Madison Avenue  
New York, NY 10022  
Tel: 212-867-9500

Direct Dial: 212-551-7741  
Fax: 212-599-5085  
Email: kmurphy@mmwr.com

March 10, 2023

**Via ECF and E-mail**

Hon. John P. Cronan  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 1320  
New York, NY 10007  
CronanNYSDChambers@nysd.uscourts.gov

Re: P. Kristen Bennett v. MPowerd, Inc.; Case No. 22-civ-10575 (JPC)

Dear Judge Cronan:

This firm represents Plaintiff P. Kristen Bennett in the above- referenced action. Due to counsel's preplanned trip out of the country, Plaintiff respectfully requests an adjournment of the Initial Pretrial Conference ("IPTC") currently scheduled for April 20, 2023 at 9:30 a.m. We respectfully request that the conference be adjourned to any date on or after May 3, 2023. We have consulted with counsel for Defendant MPowerd, Inc., who consents to this request.

Thank you, in advance, for your consideration of our request.

Respectfully submitted,



Kathleen M. Murphy

cc: David Dormont, Esq. (via e-mail: DDormont@mmwr.com)  
John Jureller, Esq. (via e-mail: JJureller@Klestadt.com)

MONTGOMERY McCRACKEN WALKER & RHOADS LLP

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A PENNSYLVANIA LIMITED LIABILITY PARTNERSHIP  
JOHN J. LEVY, NEW JERSEY RESPONSIBLE PARTNER

The request is granted. The IPTC is adjourned to June 6, 2023, at 9:00 a.m. At the scheduled time, counsel should call (866) 434-5269, access code 9176261. The deadline for the parties to file their pre-IPTC submission, *see* Dkt. 10, is adjourned to May 31, 2023. As noted in the Court's prior order, the Complaint does not contain any facts supporting its allegation that "a substantial part of the events or omissions giving rise to the claims at issue occurred in this District." Dkt. 2 ¶ 5. Moreover, the Complaint alleges that Defendant's principal place of business is in Brooklyn, which lies in the Eastern District of New York. *Id.* ¶ 5. Accordingly, by March 17, 2023, the Parties should submit a joint letter advising the court whether transfer to the Eastern District of New York is appropriate.

SO ORDERED.

March 10, 2023  
New York, New York

A handwritten signature in black ink, appearing to read "John P. Cronan", written over a horizontal line.

JOHN P. CRONAN  
United States District Judge